

### **REMARKS**

Claims 1-33 are pending. Claims 5-11, 14-27 and 30-33 have been withdrawn from consideration. Claim 2 is amended herein. Support for the amendment is set forth in the detailed remarks below.

#### **Applicants' Response to the Claim Rejections under 35 U.S.C. 112**

Claims 1-4, 12, 13, 28 and 29 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office maintains that "the original disclosure does not include teaching 'the second polishing material of the polishing slurry and the water being different from the first polishing material of the polishing slurry'." Applicants respectfully submit that the disclosure in the specification specifically describes a main polish and a finishing polish which supports this limitation of current claim 1. Further, applicants have amended claim 2 to more distinctly describe the claimed invention. Specifically, applicants have clarified that the second polishing material is "of a mixture" of the polishing slurry and water.

As described in the specification at page 42, line 4 to page 46, line 13, the polishing method comprises a main-polish and a finishing polish. Applicants utilize the phrase "a first polishing material" in the claims in order to express a substance which is supplied onto the polishing pad in the step of planarizing the surface of the film-to-be-polished. "The polishing slurry" mentioned in page 42, lines 10-12 of the specification corresponds to "the first polishing material." In the step of planarizing the surface of the film-to-be-polished, set forth from page 42, line 13 to page 44, line 17, only the polishing slurry is supplied onto the polishing pad.

Applicants utilize the phrase "a second polishing material" in order to express a substance which is supplied onto the polishing pad in the step of further polishing the surface of the film-to-be-polished in the finishing polish. The finishing polish comprising "the polishing slurry" and "water" is described at page 44, line 26 to page 45, line 3 of the specification. This description corresponds to "the second polishing material of claim 1." In the step of further polishing the surface of the film-to-be-polished of claim 1, both the polishing slurry and water are supplied onto the polishing pad.

In regard to claim 2, "mixture of the polishing slurry and the water" is disclosed at page 45, lines 17-19 of the specification, and corresponds to "the second polishing material" of claim 2. In the step of further polishing the surface of the film-to-be-polished of claim 2, the mixture of the polishing slurry and water is supplied onto the polishing pad. Wherefore, applicants respectfully submit that there is sufficient written description in the specification, as detailed above, for the claims as presented herein. Applicants respectfully request favorable reconsideration.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No. 10/823,729  
Attorney Docket No. 042341

Amendment under 37 C.F.R. §1.111  
Amendment Filed: November 2, 2006

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read "Michael J. Caridi", is written over the printed name.

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